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Response Under 37 C.F.R. 1.116 - Expedited Procedure  
Examining Group 1652

#14  
6/3/03

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of: Yue et al.

Title: ISOLATED POLYNUCLEOTIDE ENCODING A HUMAN PSST SUBUNIT OF  
THE NADH:UBIQUINONE OXIDOREDUCTASE COMPLEX (AS AMENDED)

Serial No.: 09/525,867

Filing Date: March 15, 2000

Examiner: D. Ramirez

Group Art Unit: 1652

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**NOTICE OF APPEAL FROM THE EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated February 24, 2003, of the Examiner's rejection of Claim 31.

Please charge the Appeal fee of \$320.00 required under 37 CFR 1.17(b) to Deposit Account No. 09-0108. The Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayments to Deposit Account No. 09-0108.

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Date: May 27, 2003

Respectfully submitted,

INCYTE CORPORATION

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